

REMARKS

The Office Action and the cited and applied reference have been carefully reviewed. No claim is allowed. Claims 1-9 presently appear in this application, with claims 6, 7 and 9 withdrawn from consideration by examiner, and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claims 1-5 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Cleuziat et al., US 5,824,517. This rejection is respectfully traversed.

The examiner states that "the ribonucleotide is positioned at the 3' terminus or on the 3' terminal side of the primer (see the abstract and col. 6 lines 7-9)" (page 3, 2nd paragraph of the Office Action). Regarding the chimeric oligonucleotide primer, the abstract of the Cleuziat reference discloses:

a chimeric primer that includes, in the 5' to 3' direction, an RNA-type segment capable of hybridizing with a 3'-terminal segment of the target and a DNA-type segment capable of hybridizing with a segment adjacent to the 3'-terminal segment of the target.

This means that the primer used in the reference is a chimeric primer which has an RNA portion at the 5'-terminal side and a DNA portion at the 3'-terminal side. This is clearly distinguished

from that used in the present invention. Further, it should be noted that there is no specific structural disclosure at column 6, lines 7-9 of Cleuziat.

Furthermore, although "primers, A1, A2, having a DNA portion at the 5' terminus which is in upstream of the RNA portion" are disclosed in another embodiment of the invention at column 12, lines 33-36 of Cleuziat, these primers also have a DNA portion at the 3' terminus or at the 3'-terminal side as well.

Thus, it is clear that Cleuziat has no disclosure concerning one feature of the present invention, i.e., "the amplification method using oligonucleotide primers containing the ribonucleotide at the 3' terminus or at the 3'-terminal side". Accordingly, Cleuziat cannot anticipate the presently claimed invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C. §112 and define patentable subject matter warranting their

Appln. No. 10/582,345
Amd. dated January 5, 2009
Reply to Office Action of October 7, 2008

allowance. Favorable consideration and early allowance are
earnestly urged.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By /ACY/
Allen C. Yun
Registration No. 37,971

ACY:pp
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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